

### REMARKS/ARGUMENTS

The action by the Examiner of this application, together with the cited references, has been given careful consideration. Following such consideration, claims 1, 11, 22, and 32 have been amended to define more clearly the patentable invention Applicant believes is disclosed herein. Claims 4-10, 14-21, 25-31, and 35-39 have been unchanged by the present amendment paper. This amendment is presented according to "Revised Amendment Practice" (37 C.F.R. 1.121), effective July 30, 2003. It is respectfully requested that the Examiner reconsider the claims in their present form, together with the following comments, and allow the application. An RCE accompanies this Response.

The Examiner has rejected claims 1, 11, 22, and 32 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,260,024 to Shkedy in view of U.S. Patent No. 5,960,411 to Hartman et al. and U.S. Patent No. 6,341,353 to Herman et al.

During a telephone interview between an associate of the undersigned, Thomas D. McClure, Jr., and the Examiner conducted on November 12, 2004, the Examiner stated that the all claims would be allowable if claims 1, 11, 22, and 32 were amended to include reference to controlled substance as they are presented in this Response.

Claims 1, 11, 22, and 32 have been amended to recite the language agreed to by the Examiner during the interview of November 12, 2004.

Claim 1 now reads:

*means for detecting controlled substances; and*  
*means for alarming potential instances of diversion or loss*  
*of controlled substances;*

wherein the means for performing business rules analysis and means for alarming are configured to, upon receiving a notification of provision of *controlled substances* at the secure procurement system, initiate a timer for a predetermined period of time within which to receive the confirmation of receipt *of the controlled substances* corresponding to the notification, and when the timer expires, alarm a potential instance of diversion or loss of *controlled substances* and prevent further orders from the user;...

whereby the secure procurement system, in cooperation with the certificate authority, processes and stores said orders, notifications, and confirmations of receipt to provide a verifiable

chain of custody for *controlled substances* procured by the user, and the secure procurement system communicates with the user and the certificate authority to authenticate that the user is entitled to order said *controlled substances*.

Claim 11 now reads:

a procurement transaction processor for processing said private procurement transactions transmitted and received between the user and the supplier, wherein the procurement transaction processor comprises means for performing business rules analysis using the order, notification or confirmation of receipt, *means for detecting controlled substances*, and means for alarming potential instances of diversion or loss of *controlled substances*;

wherein the means for performing business rules analysis and means for alarming are configured to, upon receiving a notification of provision of *controlled substances* at the secure procurement system:

initiate a timer for a predetermined period of time within which to receive the confirmation of receipt of the *of the controlled substances* corresponding to the notification, and when the timer expires, alarm a potential instance of diversion or loss of *controlled substances* and prevent further orders from the user,

whereby the secure procurement system in cooperation with a certificate authority processes and stores said orders, notifications, and confirmations of receipt to provide a verifiable chain of custody for *controlled substances* procured by the user, and the secure procurement system communicates with the user and the certificate authority to authenticate that the user is entitled to order said *controlled substances*.

Claim 22 now reads:

Performing business rules analysis by the secure procurement system using the order, notification or confirmation of receipt wherein the step of performing business rules analysis comprises the steps of:

*determining the presence of goods/services that comprise controlled substances*;

initiating a timer, upon receiving a notification of provision of *controlled substances* at the secure procurement system, for a predetermined period of time within which to receive the confirmation of receipt *of the controlled substances* corresponding to the notification, and when the timer expires, alarming a potential

instance of diversion or loss and preventing further orders from the user; and

Claim 32 now reads:

Performing business rules analysis by the secure procurement system of the transactions in the procurement transactions database, wherein the step of performing business rules analysis comprises the steps of:

*determining the presence of goods/services that comprise controlled substances;*

initiating a timer, upon receiving a notification of provision of *controlled substances* at the secure procurement system, for a predetermined period of time within which to receive the confirmation of receipt of *the controlled substances* corresponding to the notification, and when the timer expires, alarming a potential instance of diversion or loss and preventing further orders from the user; and

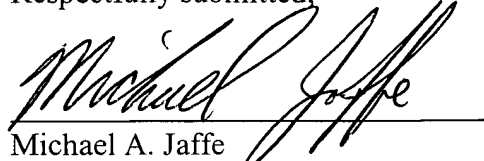
Storing the verified receipt in a procurement transaction database and transmitting from the secure procurement system to the supplier system the receipt.

It is respectfully submitted that claims 1, 11, 22, and 32 are now in condition for allowance. It is further respectfully submitted that claims 4-10, 13-21, 25-31, and 35-39, depend from claims 1, 11, 22, and 32 respectively, and are therefore also now in condition for allowance.

The Applicant respectfully submits that the present amendment puts the present application in condition for allowance. However, if the Examiner believes there are any further matters which need to be discussed in order to put the present application in condition for allowance, the Examiner is invited to contact the undersigned.

If there are any fees necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0537, referencing our Docket No. SW7181US.

Respectfully submitted,



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Date: January 7, 2005

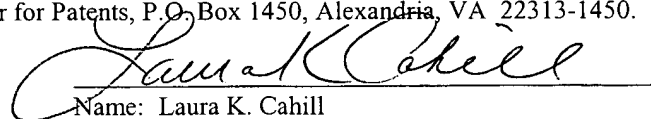
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I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 7, 2005



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